

Article - Public Utilities

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§6–306.

(a) (1) Reasonable transaction and closing costs incurred by the acquiring entity shall be included in the rate making rate base of the acquiring entity.

(2) Fees paid to utility valuation experts may be included in the transaction and closing costs associated with acquisition by the acquiring entity.

(3) Unless the Commission finds just cause to authorize additional fees, fees eligible for inclusion may not exceed 5% of the fair market value of the selling utility or \$50,000 if the actual fees paid exceed 5% of the fair market value.

(b) As of the closing date of the acquisition, the rate making rate base of the selling utility, including additions under subsection (a) of this section, shall be the lesser of:

(1) the purchase price negotiated by the acquiring entity and selling utility; or

(2) the fair market value of the selling utility.

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